

NOTICE OF PUBLIC HEARINGS
AND PUBLIC MEETING
STATE OF NEBRASKA
DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ)
ENVIRONMENTAL QUALITY COUNCIL

Notice is hereby given pursuant to Neb. Rev. Stats. §81-1505(17), §84-907, and §84-1411, the Nebraska Environmental Quality Council (EQC) will hold its regular meeting and public hearings on March 22, 2016 beginning at 9:00 A.M. Central Time (CT) at the Cornhusker Hotel, 333 South 13th St., Lincoln, Nebraska. Preceding the hearings will be business items on the agenda. Hearings are scheduled to begin at 9:00 A.M. CT or as soon thereafter as can reasonably be heard. The purpose of the hearings is to take testimony and evidence about the amendment of NDEQ regulations as outlined in this notice.

The meeting agenda and a draft copy of the proposed regulations scheduled for hearing on March 22, 2016 are available at the NDEQ's Lincoln office, 1200 N St., Suite 400, Lincoln, NE and on the NDEQ website at <http://deq.ne.gov>. The meeting agenda and a draft copy of the proposed regulations scheduled for hearing are also available at the Office of the Secretary of State, Regulations Division, Room 1305, State Capitol Building, Lincoln, NE. The description of the fiscal impact of the proposed regulations on state agencies, political subdivisions, or persons regulated is available at these locations.

All interested persons may attend and testify orally or by written submission at the public hearings. Any person may provide advance notice of intent to testify by contacting Carla Felix, Hearing Officer, NDEQ, 1200 N St., Suite 400, P.O. Box 98922, Lincoln, NE 68509-8922. Unscheduled testimony will be heard following scheduled testimony. Interested persons may also submit written comments to Carla Felix prior to the hearing, which will be entered into the hearing record if received at the Lincoln office by 5:00 P.M. CT, March 21, 2016.

Please notify the NDEQ at least one week in advance of the EQC meeting if auxiliary aids or reasonable accommodations or alternate formats of materials are needed. Contact phone number is 402-471-2186. TDD users call 800-833-7352 and ask the relay operator to call us at 402-471-2186.

A public hearing will be held on the following:

1. Amendments to Title 129 – Nebraska Air Quality Regulations. Changes to Chapter 20 reorganize sections and tables relating to particulate emissions limitations and standards. Changes to Chapter 25 clarify the applicability of the chapter's nitrogen oxide requirements unless more stringent federal standards or specific construction permit requirements apply for nitric acid production.

2. Amendments to Title 128 – Nebraska Hazardous Waste Regulations. Changes to Chapter 1 add, amend, and correct definitions, including definitions associated with federal revisions to the definition of solid waste. Changes to Chapter 2 amend requirements related to reclamation, speculative accumulation, recycling, and incorporate federal conditional exclusions from the definition of solid and hazardous waste for generator-controlled reclamation, verified recycler reclamation, and remanufacturing reclamation. Changes to Chapter 3 incorporate federal updates to the export provision of the larger cathode ray tube (CRT) monitor rule. Changes to Chapter 5 amend and add standards and criteria for granting variances from classification as a solid waste and non-waste determinations, including certain hazardous secondary materials as described, add agency decision criteria for such determinations, and add notification requirements. Changes to Chapter 10 add a waste minimization requirement for shipments of hazardous waste by large quantity generators of hazardous waste and clarify applicable accumulation requirements for waste placed in tanks. Changes to Chapter 11 clarify transporter requirements in certain situations if hazardous waste is rejected by the designated facility. Changes to Chapter 12 add a definition of major facility for purposes of permit issuance. Changes to Chapter 13 add requirements for pre-permit application notice of intent filing, public meeting and notice requirements for certain permit applicants, and requirements for information repository. Changes to Chapter 14 add a discretionary permit condition for a permittee to establish and maintain an information repository. Changes to Chapter 15 update procedures relating to various permit actions including issuance, modifications, renewal, and termination consistent with federal requirements. Changes to Chapter 20 correct citations and numbers, treatment concentrations, clarify language and references, remove duplicative language, and other minor corrections to various land disposal restrictions and treatment standards. Change to Chapter 25 makes a clarification to the standard for universal waste management requirements for universal waste lamps to maintain equivalency with federal rules. Changes to Appendix V add to the list of classification of permit modifications for general permit provisions and corrective action approvals. The EQC will vote on the NDEQ proposal after hearing and considering all the testimony and written submissions.